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Permit No.: ST-9205
Issuance Date: April 2, 2004
Effective Date: May 1, 2004
Expiration Date: April 30, 2009

STATE WASTE DISCHARGE PERMIT NUMBER ST-9205

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
YAKIMA, WASHINGTON 98902

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
authorizes

WATTS BROTHERS FROZEN FOODS, LLC.
P.O. BOX 129
PATERSON, WA 99345

to discharge wastewater in accordance with the special and general conditions which follow.

Facility Location: Highway 14; 2 miles east of Paterson, WA	Discharge Location: Legal Description: Sections 3, 4 Township 5 North; Range 26 East; Sections 33, 34 Township 6 North; Range 26 E.W.M.
Industry Type: Vegetable Processing	Latitude: 45° 56' 35" N Longitude: 119° 33' 29" W --- NAD27
SIC Code: 2099 Food Preparations	

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Section Manager
Water Quality Program
Central Region Office
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S2.G.	Sampling and Analysis Plan	1/permit cycle	May 30, 2004
S3.A.	Discharge Monitoring Report	Monthly	June 15, 2004
S4.A.	Revision to Updated Sprayfield Management Plan	2/permit cycle	May 30, 2004 & February 15, 2005
S4.B.1.	Operation and Maintenance Manual	1/permit cycle	May 1, 2005
S4.B.2.	Annual Review of Operation and Maintenance Manual	Annually	February 15, 2006 ^a
S4.B.3.d.	Revision of Lease Agreements	As necessary	
S5.C.	Solid Waste Control Plan	1/permit cycle	November 1, 2004
S6.	Engineering Report for Wastewater Treatment	1/permit cycle	May 1, 2006
S6.A.	Scope of Work for Engineering Report	1/permit cycle	May 30, 2004
S6.B.	Progress Report for Engineering Report	1/permit cycle	May 1, 2005
S6.C.i.	Ground Water Quality Evaluation (section of Engineering Report)	1/permit cycle	May 1, 2005
S7.	Irrigation and Crop Management Plan	Annually	June 15, 2004; thereafter February 15 th each year.
G7.	Application for Permit Renewal	1/permit cycle	April 30, 2008 ^b

^a February 15th of each year beginning February 15, 2006

^b At least one (1) year prior to permit expiration

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on **May 1, 2004** and lasting until **April 30, 2009**, the Permittee is authorized to apply wastewater to land via spray irrigation at agronomic rates. The hydraulic, pollutant, and nutrient loadings rates shall be established in Appendix B of the Operation and Maintenance (O&M) Manual (S4.A).

The irrigation lands are located in the following area:

Approximately 712 acres located approximately 2 miles east of Paterson, WA, and just north of Highway 14; in Sections 3, 4 of Township 5 North, Range 26 East and Sections 33, 34 of Township 6 North; Range 26 E.W.M.

S2. MONITORING REQUIREMENTS

The Permittee shall conduct monitoring in accordance with the requirements given in sections S2.A through S2.I. The results of the monitoring and submittal dates of results shall be conducted as specified in S3. Reporting and Recordkeeping Requirements.

A. Wastewater Monitoring

The Permittee shall monitor wastewater according to the conditions given in Appendix C, in the Sprayfield Management Plan section of the O&M Manual (S4.B).

B. Vadose Zone Monitoring

The Permittee shall monitor vadose zone water according to the conditions given in Appendix C, in the Sprayfield Management Plan section of the O&M Manual (S4.B).

C. Ground Water Monitoring

The Permittee shall monitor ground water according to the conditions given in Appendix C, in the Sprayfield Management Plan section of the O&M Manual (S4.B).

D. Annual Soil Monitoring

The Permittee shall monitor soil according to the conditions given in Appendix C, in the Sprayfield Management Plan section of the O&M Manual (S4.B).

E. Crop Monitoring

The Permittee shall monitor crops according to the conditions given in Appendix C, in the Sprayfield Management Plan section of the O&M Manual (S4.B).

F. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

G. Sampling and Analysis Plan

The Permittee shall submit to the Department, for review and approval, a Sampling and Analysis Plan to address all wastewater, ground water, soil, crop, and surface water monitoring required in this permit. The Plan shall be developed in substantial accordance with Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, Ecology Publ. No. 01-03-003 and the

appropriate sections of Implementation Guidance for the Ground Water Quality Standards, Ecology Publ. No. 96-02.

The Plan's monitoring provisions shall be included in Appendix C of the O&M Manual (S4.A). The Plan shall be received no later than **May 30, 2004**. The Plan shall also be included in the Engineering Report (S6).

H. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations. Calibration records shall be maintained for at least three (3) years.

I. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils, and hazardous waste testing has not been included in the accreditation program. Crops, soils, and hazardous waste data shall be provided by a lab accredited for similar parameters in water media.

J. Request for Reduction of Monitoring

The Permittee may request a reduction of the sampling frequency after twelve (12) months of monitoring. The request shall: (1) be in written form, (2) clearly state the parameters for which the reduction in monitoring is being requested, and (3) clearly state the justification for the reduction. Any request for reduction in monitoring shall be granted at the Department of Ecology's (Department) discretion and accomplished through an Administrative Order or permit modification.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on **May 1, 2004**. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to:

Permit Data Systems Manager
Department of Ecology
Central Regional Office
15 West Yakima Avenue, Suite 200
Yakima, Washington 98902

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who

performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Special Condition S2. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within thirty (30) days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within thirty days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance (O&M) of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Revision to Updated Sprayfield Management Plan

The first O&M Manual review and update is due **May 30, 2004**. The 2004 update shall consist of a revision to the Updated Sprayfield Management Plan (prepared for Watts Brothers by Tetra Tech, 1999). Sampling and analysis in this revision shall be according to the requirements given in the Sampling and Analysis Plan (S2.G). Another update to the plan is due by **February 15, 2005**.

B. O&M Manual

1. New O&M Manual

A new O&M Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department for approval by **May 1, 2005**.

2. Annual Review of O&M Manual

The O&M Manual shall be reviewed by the Permittee at least annually. The Permittee shall confirm the review by letter and/or a manual update to the Department by **February 15, 2006 and annually by February 15 thereafter**.

All manual changes or updates shall be submitted to the Department for review and approval whenever they are incorporated into the manual. The approved O&M Manual shall be kept available at the permitted facility.

The O&M Manual shall contain the treatment plant process control monitoring schedules, which for this facility includes sprayfield management schedules (detailed below in section B). All operators shall follow the instructions and procedures of this manual.

In addition to the requirements of WAC 173-240-150(1) and (2), the manual shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure;
2. Plant maintenance procedures;

3. Protocols and procedures for ground water monitoring network sampling and testing;
4. Sprayfield Management Plan Appendices;
5. Sampling and Analysis Plan (S2.G).

3. Sprayfield Management Appendices

For the years **2005 to April 30, 2009**, the Permittee is required to review the Sprayfield Management section of the O&M manual annually and submit any changes to the Department for approval.

Appendix A - Land Application Processes and Procedures shall set forth the following operational parameters:

- a) The irrigation system shall be maintained in good repair with an overall distribution system uniformity of 80 percent or greater.
- b) The set time shall be limited to 24 hours when irrigating with process water.
- c) There shall be no runoff of wastewater applied to land by spray irrigation to any surface waters of the State or to any land not owned by or under control of the Permittee.
- d) The Permittee shall maintain all irrigation agreements for lands not owned for the duration of the permit cycle. Any reduction in irrigation lands by termination of any irrigation agreements may result in permit modification or revocation. The Permittee shall immediately inform the Department in writing of any proposed changes to existing agreements.
- e) The wastewater shall not be applied to the irrigation lands in quantities that:
 - i. Significantly reduce or destroy the long-term infiltration rate of the soil.
 - ii. Would cause long-term anaerobic conditions in the soil.
 - iii. Would cause ponding of wastewater, produce objectionable odors, or support insects or vectors.
 - iv. Would cause leaching losses of constituents of concern beyond the treatment zone or in excess of the approved design. Constituents of concern are constituents in the wastewater, partial decomposition products, or soil constituents that would alter ground water quality that would affect beneficial uses.

Appendix B - Wastewater and Hydraulic Loading Limitations shall set specify the hydraulic, nutrient, and pollutant loading limits to the sprayfields. For the 2004 crop growing season, the loading limits shall be in accordance the tables below and inserted into the revised 1999 Updated Sprayfield Management Plan (S4.A).

Hydraulic Loading Limitations								
Maximum Inches per Acre per Sprayfield ^a								
Daily	May	June	July	August	September	October	November	Annual Total
1.5	3.3	9.4	9.6	8.1	6.0	3.0	3.0	41
^a The hydraulic loading limits shall include the totality of irrigation and wastewater applied.								

Pollutant and Nutrient Loading Limits per Sprayfield	
Nutrient Parameters	Maximum Applied Loading per Sprayfield
BOD (lbs/acre/week)	611
TDS(lbs/acre/week)	335
TSS (lbs/acre/week)	206
TKN (lbs/acre/week)	9.1
Sodium (lbs/acre/week)	3.6
Soluble BOD (lbs/acre/day)	79

Appendix C- Monitoring Requirements shall set specify all wastewater, irrigation water, vadose zone, ground water, crop, and soil monitoring frequencies and methodologies. All monitoring and methodologies shall be conducted according to the Sampling and Analysis Plan (S2.G).

C. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. *Unavoidable Bypass* -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. *Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions* -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
 - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
 - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
 - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.

3. *Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions* -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations

of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

S5. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into State ground water or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter State waters without providing all known, available and reasonable methods of prevention, control and treatment (AKART), nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to State ground water or surface water.

C. Solid Waste Control Plan

The Permittee shall submit a Solid Waste Control Plan to the Department no later than **November 1, 2004**. This plan shall include all solid wastes with the exception of those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The plan shall include at a minimum a description, source, generation rate, and disposal methods of these solid wastes. This plan shall not be at variance with any approved local solid waste management plan. Any proposed revision or modification of the solid waste handling plan must be submitted to the Department. The Permittee shall comply with the plan and any modifications thereof. The Permittee shall submit an update of the solid waste control plan with the application for permit renewal one (1) year prior to the expiration date of the permit.

S6. ENGINEERING REPORT FOR WASTEWATER TREATMENT

No later than **May 1, 2006**, two copies of an approvable engineering report shall be prepared by the Permittee in accordance with Chapter 173-240 WAC and submitted to

the Department for review and approval. The report shall develop all known, available, and reasonable methods of prevention, control and treatment (AKART) for the facility's wastewater. The report shall also include a Ground Water Quality Evaluation (S6.C).

The report shall contain all appropriate requirements as described in “*Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems*” (Washington State Department of Ecology, 1993).

If land application is the chosen treatment alternative, the Engineering Report shall also produce hydraulic, nutrient, and pollutant loading limits to the sprayfields. The report shall set forth plans to implement flow-compensated composite monitoring of the facilities wastewater (S2.G - Sampling and Analytical Procedures). The report shall also explain how flow measurement to each irrigation circle is implemented according to the provisions of this permit (2.F - Flow Monitoring).

Total Dissolved Solids are not amenable to land application treatment. Therefore, the Engineering Report shall address pollution prevention as a way to reduce TDS loadings to the sprayfields.

A. Scope of Work for Engineering Report

No later than **May 30, 2004** the Permittee shall submit a scope of work to the Department. The scope of work shall also outline the plans for the groundwater quality evaluation.

B. Progress Report for Engineering Report

No later than **May 1, 2005** the Permittee shall submit a progress report to the Department that provides details on the development of the Engineering Report.

C. Ground Water Quality Evaluation (Hydrogeologic Study)

The Permittee shall evaluate the impacts of its activities (primarily application of wastewater to sprayfields) on ground water quality by completing the following elements: a ground water quality evaluation study, a report of study results, installation of a ground water monitoring network, and ongoing monitoring. The Ground Water Quality Evaluation of the Engineering Report shall be prepared according to the guidance of the *Implementation Guidance for Ground Water Quality Standards* (Ecology Publication # 96-02).

- i. Upon approval of the scope of work (S6.A) by the Department, the Permittee shall conduct a study to determine site specific hydrogeologic conditions, well siting, quality control protocols, a sampling plan and sampling protocols. The Permittee shall submit a report of the results **May 1, 2005**.
- ii. Within **sixty (60)** days after review and approval of the report by the Department, the Permittee shall begin construction of the ground water monitoring network. Well construction shall be in accordance with Chapter 173-160 WAC.
- iii. After completion of the installation of the ground water monitoring network, the Permittee shall notify the Department and begin monitoring according to protocols and frequencies set forth in Appendix C of the Operating and Maintenance manual (S4.A). The monitoring network shall be the point of compliance for the final tech-based effluent limits.
- iv. The report shall also examine management and potential ground water impacts of the wastewater pond (located 1/4 mile west of the processing building) to determine if ground water quality standards are being met.

S7. IRRIGATION AND CROP MANAGEMENT PLAN

An Irrigation and Crop Management Plan shall be submitted **June 15, 2004** and **thereafter annually by February 15** for Department review. The plan must be prepared by a soil scientist. The plan shall include the following elements:

A. Annual Summary of Farm Operations for Previous Year

This summary shall include:

1. For each crop grown, the total acreage and quantity harvested.
2. Calculated balances for nutrients, salts, TDS, or other design limiting parameters. The calculations shall include crop consumptive use, process wastewater loadings of nutrients, salts, TDS or other design limiting parameters, and contributions from commercial fertilizers applied.
3. Calculated water balance. The calculations shall include irrigation system efficiency and application uniformity, the quantity of supplemental irrigation water and process wastewater applied, crop consumptive use, water stored in the soil profile outside the normal growing season, and salt leaching requirements.

4. Soil testing results. A summary of the soil testing results shall be submitted and discussed as part of the annual Irrigation and Crop Management Plan.

B. Cropping Schedule for Upcoming Year

This schedule shall include:

1. Crop Management. The proposed acreage for each crop, cultivation and harvesting requirements, expected crop yields, and methods for establishing a crop, and proposed schedule for fertilizer application.
2. Irrigation Management. The frequency and timing of wastewater and supplemental irrigation water application (including harvest and non-harvest periods), and recommended rest cycles for wastewater application where organic or hydraulic loading is a concern.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or for the purpose of inspecting and investigating conditions

relating to the pollution or the possible pollution of any waters of the State. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the State; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred eighty (180) days prior to the planned start of

construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least one (1) year prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

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Expiration Date: April 30, 2009

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.